

## **REMARKS**

Applicant respectfully requests reconsideration of this application as amended. Claims 30, 34 and 57 have been amended. Claims 1-29, 35-56 and 62 have been cancelled without prejudice. New claims 63-67 have been added. Therefore, claims 30-34, 57-61 and 63-67 are presented for examination.

### **35 U.S.C. § 112 Rejection**

Claims 35, 42, 46, 56 and 62 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 35, 42, 46, 56 and 62 have been cancelled without prejudice.

### **35 U.S.C. § 102 Rejection**

Claims 30-35 and 41-62 are rejected under 35 U.S.C. §102(e) as being anticipated by Dunstan, et al., U.S. Patent No. 5,714,870 (“Dunstan”).

Claim 30, as amended, recites:

An apparatus comprising:

an operating system to request a chip to start a time counter prior to entering a reduced power consumption state, wherein the chip is further to store a time of entering the reduced power consumption state and a time of exiting the reduced power consumption state; and  
the chip to start the time counter, wherein the chip is further to automatically calculate a reduced power consumption state duration.

Applicants respectfully disagree with the Examiner’s characterization of the reference and the pending claims. However, for the sake of expediting issuance of this

case, Applicants propose additional amendments to the pending claims and submit the following remarks.

Dunstan disclose a “method for measuring power consumed by an electronic device while the electronic device is in a suspended condition includes the steps of determining the charge capacity of an electrical energy storage unit both before and after the electronic device is suspended. This information is then used to calculate charge capacity lost while the electronic device was suspended.” (Abstract; emphasis added).

In contrast, claim 30, as amended, in pertinent part, recites “to request a chip to start a time counter prior to entering a reduced power consumption state, wherein the chip is further to store a time of entering the reduced power consumption state and a time of exiting the reduced power consumption state; and the chip to start the time counter, wherein the chip is further to automatically calculate a reduced power consumption state duration” (emphasis added). Dunstan does not teach or reasonably suggest at least these features of claim 30. Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 30 and its dependent claims.

Claim 57 contains limitations similar to those of claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 57 and their dependent claims.

### **New Claims**

New independent claim 63 contains limitations similar to those of claim. Accordingly, Applicants respectfully submit that claim 63 and its dependent claims are distinguished over the cited reference.

## **Conclusion**

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

**Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

**Request for an Extension of Time**

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

**Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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